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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,139	10/16/2003	Herbert A. Little	555255012604	8237
<div>7590 09/26/2007 David B. Cochran, Esq. JONES DAY North Point, 901 Lakeside Ave Cleveland, OH 44114</div>			<div>EXAMINER LASHLEY, LAUREL L</div>	
			<div>ART UNIT 2132</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE 09/26/2007</div>	<div>DELIVERY MODE PAPER</div>

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/687,139		LITTLE ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Laurel Lashley		2132	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 July 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendments with respect to claims 1 – 15 and new claims 16 – 22 filed 07/16/07 have been accepted. Therefore claims 1 – 22 are pending. Applicant has dutifully overcome the 112 rejections and claim objections thus they are withdrawn accordingly.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1 – 8, 10 – 15 and the remaining newly added depend claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 – 8 and 10 – 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hocker et al. in US Patent No. 5930368 (hereinafter US '368) further in view of Muratov et al. in US Patent No. 7159120 (hereinafter US '120).

4. For claim 1 and similar claim 12, US '368 discloses:

A system for activating one or more security functions of a mobile device, comprising:

a) a mobile device holder; (see Fig. 2, item 30: docking port/area) and

b) a mobile device containing a proximity detector, (see Fig. 1, item 10: portable device)

wherein the proximity detector is configured to detect that the mobile device is stored in the

mobile device holder (see column 3, lines 26 – 29: upon docking...), and the mobile device is

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configured to activate one or more security functions when the proximity detector detects that the mobile device is stored in the mobile device holder (*see column 3, lines 24 – 26: encryption key...; column 7, lines 1 – 2: icon 82 provide...additional security...; column 7, lines 39 – 46*), *but does not expressly teach* wherein the one or more security functions include deleting confidential information from a memory of the mobile device.

Muratov et al. however in US '120 discloses wherein the one or more security functions include deleting confidential information from a memory of the mobile device (*see Abstract: erasing of data...; see column 1, lines 65 – 67, column 2, lines 7 – 12, 15 – 18, and 30 – 35: erasing or deleting of data...*).

Hocker et al. and Muratov et al. are analogous art because they are from similar fields problem solving areas (protecting data within a portable electronic device to prevent unauthorized access to that data). At the time of the invention it would have been obvious to modify the security function of Hocker et al.'s portable device such that it would include memory deletion as in Muratov et al. The motivation for doing so would have been to provide additional security functions to maintain security of data/information stored on the mobile device.

For claim 2, US '368 discloses:

The system of claim 1, wherein the proximity detector outputs a signal when it detects that the mobile device is stored in the mobile device holder (*see Fig. 7; column 8, lines 8 – 12: wake-up signal...*).

For claim 3, US '368 discloses:

The system of claim 1, wherein the proximity detector is polled by a processor to determine whether the mobile device is stored in the mobile device holder (*see column 8, lines 16 – 18*).

For claim 4 and similar claim 13, US '368 discloses:

The system of claim 1, wherein the one or more security functions restrict access to select

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information stored in, received at, or inputted to the mobile device (see column 3, lines 24 – 26; column 7, lines 39 – 46).

For claim 5 and similar claim 14, US '368 discloses:

The system of claim 1, wherein the one or more security functions restrict access to all resources of the mobile device (see column 3, lines 24 – 26; column 7, lines 39 – 46).

For claim 6 and similar claim 15, US'868 discloses:

The system of claim 1, wherein the one or more security functions can only be overridden by a user selected password or passphrase (see column 3, lines 24 – 26; column 4, lines 48 – 54; column 7, lines 39 – 46).

For claim 7, US '368 discloses:

The system of claim 1, wherein the mobile device holder includes a magnet. (see Fig. 10: item 212: column 4, lines 60 – 65; column 9, lines 25 – 30).

For claim 8, US '368 discloses:

The system of claim 1, wherein the proximity detector is a magnet detector. (see Fig. 9a, item 206; column 4, lines 60 – 65; column 9, lines 25 - 30)

For claim 10, US '368 discloses:

The system of claim 1, wherein the proximity detector can differentiate between multiple mobile device holders. (see column 2, lines 38 – 41: address identifier...; column 3, lines 39 – 43)

For claim 11, US '368 discloses:

The system of claim 10, wherein the one or more security functions activated can be individualized for different mobile device holders. (see column 8, lines 62 – 67: processing inquiry)

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For claim 16 and similar claim 20, US '368 discloses:

The system of claim 1, wherein the confidential information is a decrypted version of encrypted information. (see column 3, lines 24 – 26: encryption key...; column 7, lines 39 – 48)

For claim 17, US '368 discloses:

The system of claim 16, wherein the decrypted version of encrypted information is information being displayed on a display of the mobile device when the mobile device is stored in the holder. (see column 3, lines 24 – 26; column 7, lines 39 – 48: decryption....)

For claim 18 and similar claim 21, US '368 discloses the system of claim 1, including one or more security functions (see column 3, lines 24 – 26: encryption key...; column 7, lines 1 – 2: icon 82 provide...additional security...; column 7, lines 39 – 46) but does not expressly disclose the one or more security functions include closing a data item currently being displayed.

Muratov et al. however in US '120 discloses wherein the one or more security functions include closing a data item currently being displayed. (see column 2, lines 36 – 38, 53 – 57: lockout mode...).

Hocker et al. and Muratov et al. are analogous art because they are from similar fields problem solving areas (protecting data within a portable electronic device to prevent unauthorized access to that data). At the time of the invention it would have been obvious to modify the security function of Hocker et al.'s portable device such that it would include closing currently displayed data items as in Muratov et al. The motivation for doing so would have been to provide additional security functions to maintain security of data/information stored on the mobile device.

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***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hocker et al. in US Patent No. 5930368 (hereinafter US '368) and Muratov et al. in US Patent No. 7159120 (hereinafter US '120) further in view of the admitted prior art Lygas.

For claim 9, US '368 discloses a magnet detector but does not expressly disclose the magnet detector is a Hall effect magnetic proximity detector.

Lygas however does disclose a magnet detector is a Hall effect magnetic proximity detector. (see column 3, lines 42 – column 4, lines 1 – 19 and 64 – 67)

Hocker et al. and Lygas are analogous art because they are from similar problem solving areas (establishing connection between a portable device and a base unit/holder). At the time of the invention it would have been obvious to modify the magnet detector of Hocker et al. to a Hall effect magnetic proximity detector as in the admitted prior art of Lygas as the two are obvious variants of each other.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.



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6. Claim 19 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hocker et al. in US Patent No. 5930368 (hereinafter US '368) and Muratov et al. in US Patent No. 7159120 (hereinafter US '120) further in view Iijima in US Patent No. 4800520 (hereinafter US '520).

For claim 19 and similar claim 22, US '368 discloses the system of claim 1, including one or more security functions (*see column 3, lines 24 – 26: encryption key...; column 7, lines 1 – 2: icon 82 provide...additional security...; column 7, lines 39 – 46*) but does not expressly disclose performing a secure garbage collection function.

Iijima however in US '520 discloses wherein the one or more security functions include performing a secure garbage collection function. (*see Title and Abstract*).

Hocker et al. and Iijima are analogous art because they are from the same field of endeavor (use of portable electronic devices). At the time of the invention it would have been obvious to modify the security function of Hocker et al.'s portable device such that it would include performing a secure garbage collection function as in Iijima. The motivation for doing so would have been to provide additional security functions to maintain security of data/information stored on the mobile device.

### **Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Angelo et al. in US PGPub No. 2003/0065934 discloses after the fact protection of data in remote personal and wireless devices where enabling a security action includes erasing memory in the portable device.



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8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

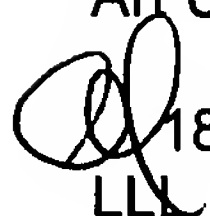
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurel Lashley whose telephone number is 571-272-0693. The examiner can normally be reached on Monday - Thursday, alt Fridays btw 7:30 am & 5 pm.

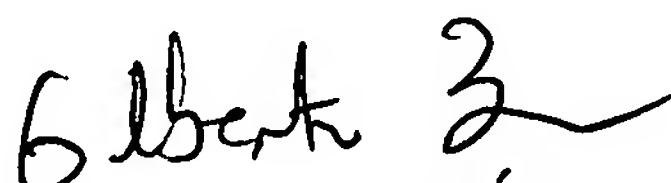
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron, Jr. can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Laurel Lashley  
Examiner  
Art Unit 2132

 18 September 2007  
LLL

  
GILBERTO BARRÓN JR.  
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